

REMARKS

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 6-9, 11-12, 14, 17, 25 and 30

Claims 1, 6-9, 11-12, 14, 17, 25 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,185,199 issued to Zehavi (*Zehavi*) in view of U.S. Patent No. 2005/0073945 issued to Garcia, Jr. et al. (*Garcia*). Applicant respectfully submits claims 1, 6-9, 11-12, 14, 17, 25 and 30 are not obvious in view of *Zehavi* and *Garcia* for at least the reasons set forth below.

Claim 1 recites, in part, randomizing received data using an identifier associated with a remote radio. Claims 7, 17 and 25 recite similar limitations. The Office action concedes that *Zehavi* does not disclose randomizing received data using an identifier related to a remote radio. Applicant agrees that *Zehavi* fails to disclose these limitations.

Garcia is cited as disclosing the limitations not found in *Zehavi*. However, *Garcia* discusses randomizing the pattern of digital data in a message using a scrambling vector rather than using an identifier associated with a remote radio. See paragraph [0013]. *Garcia* explains that the scrambling vector is selected from a scrambling vector table based on a selection algorithm. See paragraph [0015]. The purpose of using a selection algorithm and scrambling vectors is to help in minimizing the peak voltage of the tones in an OFDM communication. See paragraph [0011]. Thus, the scrambling vectors are distinguished based on their ability to affect peak voltage in OFDM communication tones and not based on any association with a particular remote radio. Thus, a scrambling vector is not equivalent to an identifier associated with a remote radio. Therefore, *Garcia* does not teach or disclose randomizing received data using an

identifier associated with a remote radio. For at least these reasons, Applicant submits claims 1, 7, 17 and 25 are not obvious in view of *Zehavi* and *Garcia*.

Claims 6, 8-9, 11-12, 14 and 30 depend from claims 1, 7, 17 and 25, respectively. Given that dependent claims necessarily include the limitations of the claims from which they depend, Applicant submits claims 6, 8-9, 11-12, 14 and 30 are not obvious in view of *Zehavi* and *Garcia*.

Claims 2-5, 10, 13, 15-16, 18-21, 22-24, 26-29

Claims 2-5, 10, 13, 15-16, 18-21, 22-24, 26-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,185,199 issued to *Zehavi* (*Zehavi*) in view of U.S. Patent Publication No. 2005/0073945 issued to Garcia, Jr. et al. (*Garcia*), and further in view of U.S. Patent Publication No. 2007/0019608 issued to Padovani et al. (*Padovani*).

Claims 2-5, 10, 13, 15-16, 18-21 and 26-29

Claims 2-5, 10, 13, 15-16, 18-21 and 26-29 depend from claims 1, 7, 17 and 25, respectively. As discussed above, the combination of *Zehavi* and *Garcia* fail to teach or disclose randomizing received data using an identifier associated with a remote radio.

Padovani was cited as teaching a registration identifier. Whether or not *Padovani* actually teaches the limitations cited in the Office action (which Applicant does not concede), *Padovani* does not teach or disclose randomizing received data using an identifier associated with a remote radio. Thus, *Padovani* fails to cure the deficiencies of *Zehavi* and *Garcia*. Therefore, Applicant respectfully submits claims 2-5, 10, 13, 15-16, 18-21 and 26-29 are not obvious in view of *Zehavi*, *Garcia* and *Padovani*.

Claims 22-24

Claim 22 recites, in part, randomizing a third signal using the second information from a user terminal. The Office action cites *Garcia* as teaching these limitations. However, as discussed above, *Garcia* only discloses randomizing the pattern of digital data in a message using scrambling vectors stored in a table. The scrambling vectors do not constitute second information from a user terminal, as recited in claim 22. Thus, *Garcia* fails to teach at least one limitation of claim 22. Neither *Zehavi* nor *Padovani* cure the deficiencies of *Garcia*. Therefore, claim 22 is not obvious in view of *Garcia*, *Zehavi* and *Padovani*. Claims 23-24 depend from claim 22 and are not obvious for at least the same reasons claim 22 is not obvious.

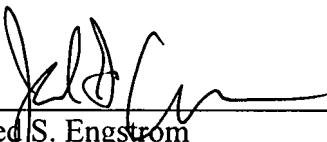
CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, claims 1-30 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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